

**BEFORE THE
DEPARTMENT OF TRANSPORTATION
WASHINGTON, D.C.**

Application of)	
)	
)	
UG JET, S.R.O.)	
)	Docket No. OST-2022-_____
for an exemption under 49 U.S.C. § 40109 and)	
a foreign air carrier permit pursuant to)	
49 U.S.C. § 41301)	
)	
(EU-U.S. Open Skies))	
)	

**APPLICATION OF UG JET, S.R.O.
FOR AN EXEMPTION AND FOREIGN AIR CARRIER PERMIT**

Communications with respect to this document should be addressed to:

Josh Romanow
PILLSBURY WINTHROP SHAW
PITTMAN LLP
1200 Seventeenth Street, N.W.
Washington, D.C. 20036
Tel: +1-202-663-8000
E-mail: romanow@pillsburylaw.com

June 1, 2022

Counsel for UG JET, S.R.O.

NOTE: Any person may support or oppose this application by filing an answer and serving a copy of the answer on counsel for UG Jet, s.r.o. Answers to the foreign air carrier permit application are due on or before June 22, 2022. Answers to the exemption application are due on or before June 16, 2022. UG Jet, s.r.o. intends to poll on this application and will advise the Department of the results.

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**APPLICATION OF UG JET, S.R.O.
FOR AN EXEMPTION AND FOREIGN AIR CARRIER PERMIT**

Pursuant to 49 U.S.C. §§ 40109 and 41301, Part 211 of the U.S. Department of Transportation’s economic regulations, and the Department’s rules of practice, UG Jet, s.r.o. (“UG Jet”), a foreign air carrier of the Czech Republic, hereby applies for exemption authority and a foreign air carrier permit to conduct foreign charter air transportation of persons, property, and mail with small aircraft between a point or points in Member States of the European Union, and a point or points in the United States, to the full extent allowed under the Air Transport Agreement between the United States and the European Community and the Member States of the European Union,¹ as more fully described herein.

This application is filed pursuant to the Department’s Notice of February 19, 2009 relating to Application Procedures for Foreign Air Carriers of the European Union.

¹ Air Transport Agreement between the U.S. and the European Community and its Member States, signed Apr. 25 and 30, 2007, applied provisionally from Mar. 30, 2008, as amended (the “EU-U.S. Open Skies Agreement”).

Consistent with the Department's notices of May 3, 2007 and August 23, 2005 (Docket No. OST-2005-22228), UG Jet requests expedited processing of this application to allow it to begin the proposed services as soon as possible. The authority sought herein will result in increased travel choices, greater service options, and enhanced competition, thereby benefiting consumers in both the United States and the Member States of the European Union. The following is provided in support of this application:

1. The applicant's full name is UG Jet, s.r.o. Its principal place of business is located at K Letišti 1068/30, 161 00 PRAHA 6 – Ruzyně. *211.20(a)*.
2. Consistent with rights available to carriers of both parties to the EU-U.S. open skies agreement, UG Jet requests authority to engage in the following services with small aircraft:
 - a. Foreign charter air transportation of persons, property, and mail from any point or points behind any Member State of the European Union via any point or points in any Member State and via intermediate points to any point or points in the United States and beyond;
 - b. Foreign charter air transportation of persons, property, and mail between any point or points in the United States and any point or points in any Member of the European Common Aviation Area;
 - c. Foreign charter air transportation of cargo between any point or points in the United States and any other point or points;
 - d. Other charters pursuant to the prior approval requirements set forth in part 212 of the Department's economic regulations; and
 - e. Charter transportation consistent with any future, additional rights that may be granted to foreign air carriers of the Member States of the European Union. *211.20(c)*.
3. UG Jet's Air Operator Certificate (AOC) from Civil Aviation Authority of the Czech Republic is attached hereto as Exhibit A. *211.20(b) and (i)*.
4. A copy of OST Form 6411, Foreign Air Carriers—Certificate of Insurance is attached hereto as Exhibit B. *211.20(h)*.

5. A copy of OST Form 4523, Waiver of Warsaw Convention Liability Limits is attached hereto as Exhibit C. 211.20(t).
6. Since UG Jet intends to operate only charter flights with small aircraft, a Family Assistance Plan and Summary of Passenger Manifest Information Collection Procedures are not included with this application.
7. Grant of the authority sought herein will not result in a near-term increase in fuel consumption of ten million gallons or more, and therefore will not comprise a “major regulatory action” under the Energy Policy and Conservation Act of 1975, as defined at 14 C.F.R. § 313(a)(1).
8. The verification required by 14 C.F.R. § 302.4(b) is attached hereto as Exhibit D.
9. As demonstrated by the information provided herein, UG Jet is fully qualified to operate the services for which authority is requested; grant of the requested authority is consistent with the EU-U.S. open skies agreement and will therefore serve the public interest.²

² See S. REP. NO. 96-329, at 4 (1979), reprinted in 1980 U.S.C.C.A.N. 54, 57 (“[T]he negotiation of a bilateral agreement itself represents a determination by the Government of the United States that the grant of route authority provided for under the bilateral is in the ‘public interest.’”).

WHEREFORE, for the foregoing reasons, UG Jet respectfully requests that the Department issue an exemption and foreign air carrier permit authorizing UG Jet to engage in foreign charter air transportation of persons, property, and mail with small aircraft to the full extent allowed under the EU-U.S. open skies agreement.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Josh Romanow", with a long horizontal line extending to the right.

Josh Romanow
PILLSBURY WINTHROP SHAW
PITTMAN LLP
1200 Seventeenth Street, N.W.
Washington, D.C. 20036
Tel: +1-202-663-8000
E-mail: romanow@pillsburylaw.com

Counsel for UG Jet, s.r.o.

June 1, 2022

CERTIFICATE OF SERVICE

The undersigned certifies that on June 1, 2022, the application of UG Jet, s.r.o. for Exemption and Foreign Air Carrier Permit, was served by electronic mail on the individuals identified below:

Robert Wirick
John Williams
American Airlines
robert.wirick@aa.com
john.b.williams@aa.com

Steve Morrissey
Dan Weiss
Amna Arshad
United Air Lines
steve.morrissey@united.com
dan.weiss@united.com
amna.arshad@freshfields.com

Chris Walker
Steven Seiden
Delta Air Lines
chris.walker@delta.com
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Sandra Lunsford
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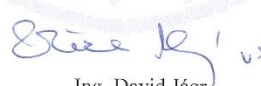
/s/Melinda A. Hernandez
Melinda A. Hernandez

TABLE OF EXHIBITS

Exhibit A	Air Operator Certificate (AOC)
Exhibit B	OST Form 6411, Foreign Air Carriers—Certificate of Insurance
Exhibit C	OST Form 4523, Waiver of Warsaw Convention Liability Limits
Exhibit D	Verification

EXHIBIT A

AIR OPERATOR CERTIFICATE

OSVĚDČENÍ LETECKÉHO PROVOZOVATELE AIR OPERATOR CERTIFICATE		
Druh provozu / Type(s) of operation:		
Obchodní letecká doprava: Commercial air transport (CAT):	Cestující: Passengers: <input checked="" type="checkbox"/>	Náklad: Cargo: <input checked="" type="checkbox"/>
Jiný: / Other type of transportation: <input type="checkbox"/>		
Stát provozovatele / State of Operator:	ČESKÁ REPUBLIKA CZECH REPUBLIC Úřad pro civilní letectví ČR Civil Aviation Authority CR	
Vydávající úřad / Issuing Authority:		
AOC číslo / AOC No: CZ-73	Název provozovatele / Operator name: UG Jet, s.r.o. Obchodní název / Trading name: --- Adresa provozovatele / Operator address: K Letišti 1068/30 161 00 PRAHA 6 - Ruzyně Tel.: +420 220 113 293 E-mail: info@ugjet.com Identifikátor DS: rpn82cu Společnost registrována v Obchodním rejstříku ČR na adrese: Registered in the Czech Business register at: Václavské nám. 815/53 110 00 PRAHA 1 – Nové Město	Kontaktní údaje umožňující bez zbytečných prodlení kontaktovat vedení provozovatele jsou uvedeny v tomto dokumentu, str.2. Contact details, at which operational management can be contacted without undue delay, are listed in this document, page 2.
Toto osvědčení osvědčuje, že provozovatel UG Jet, s.r.o. je oprávněn k provozu v obchodní letecké dopravě tak, jak je stanoveno v příložených provozních specifikacích, v souladu s provozní příručkou, nařízením (EU) č. 2018/1139 a jeho prováděcími pravidly. This certificate certifies that UG Jet, s.r.o. is authorised to perform commercial air operations, as defined in the attached operations specifications, in accordance with the operations manual, Regulation (EU) No 2018/1139 and its Implementing Rules.		
Datum vydání: Date of issue:	Jméno a podpis: Name and signature: Funkce: Title:	
01.04.2022	 Ing. David Jágr Ředitel ÚCL ČR Director of the CAA CZ	

OSVĚDČENÍ LETECKÉHO PROVOZOVATELE *AIR OPERATOR CERTIFICATE*

(popis povinností a zodpovědností uveden v Provozní příručce, část A)
(description of the duties and responsibilities is in the Operations Manual, Part A)

ŘÍZENÍ SPOLEČNOSTI / *OPERATIONAL MANAGEMENT:*

Jméno / Name:	Pozice / Post:	Tel.:	E-mail:
Roman Vik	Odpovědný vedoucí <i>Accountable Manager</i> ORO.GEN.210(a)	+420 602 202 147	roman.vik@ugjet.com
Tomáš Tobola	Osoba zodpovědná za letový provoz <i>Flight Operations Manager</i> ORO.AOC.135(a)(1)	+420 602 254 424	tomas.tobola@ugjet.com
Salvatore Giunta	Osoba zodpovědná za výcvik posádek <i>Crew Training Manager</i> ORO.AOC.135(a)(2)	+420 773 569 885	salvatore.giunta@ugjet.com
Petr Čeněk	Osoba zodpovědná za pozemní provoz <i>Ground Operations Manager</i> ORO.AOC.135(a)(3)	+420 724 278 037	petr.cenek@ugjet.com
Lukáš Skyslák	Osoba zodpovědná za zachování letové způsobilosti <i>Continuing Airworthiness Manager</i> ORO.AOC.135(a)(4) Reg.(EC) No 1321/2014	+420 724 521 321	lukas.skyslak@ugjet.com
Tomáš Kubáč	Vedoucí bezpečnosti <i>SMS Manager</i> ORO.GEN.200	+420 736 148 382	tomas.kubac@ugjet.com
Martin Chleboun	Vedoucí sledování shody <i>CM Manager</i> ORO.GEN.200	+420 724 278 052	martin.chleboun@ugjet.com

EXHIBIT B

OST FORM 6411 FOREIGN AIR CARRIERS—CERTIFICATE OF INSURANCE



Office of the Secretary
of Transportation

AGENCY DISPLAY OF ESTIMATED BURDEN

The public reporting burden for this collection of information is estimated to average 30 minutes per response. If you wish to comment on the accuracy of the estimate or make suggestions for reducing this burden, please direct your comments to: U.S. Department of Transportation, Office of Aviation Analysis, X-56, 400 7th St., SW., Washington, D.C. 20590. According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

NOTE: For information on where to file completed copies of this form, see **FILING INSTRUCTIONS** below.

OMB No. 2106-0030 Expires 2-28-2011

FOREIGN AIR CARRIERS - CERTIFICATE OF INSURANCE POLICIES OF INSURANCE FOR AIRCRAFT ACCIDENT BODILY INJURY AND PROPERTY DAMAGE LIABILITY

FILING INSTRUCTIONS: File a signed original of this form with the Federal Aviation Administration, Air Transportation Div., AFS-260, 800 Independence Ave., SW., Washington, DC 20591. (See **EXCEPTION** below.)

EXCEPTION: If Section 2.A. is filled in because the insured is a *Canadian Charter Air Taxi Operator*, file an original of this form with the U.S. Department of Transportation, Special Authorities Division (X-46), 400 7th Street, SW, Washington, D.C. 20590

(Please type information, except signatures.)

THIS CERTIFIES THAT: Nordic Försäkring & Riskhantering AB (UK Branch) on behalf of Insurers

(Name of Insurer)

has issued a policy or policies of Aircraft Liability Insurance to **UG Jet s.r.o.** and/or their respective associated, affiliated and subsidiary companies Wenceslas Square 815/53, New Town (Prague 1), 110 00 Prague, Czech Republic

FAA Certificate

Number _____

(Name, address and FAA Certificate number of Insured Foreign Air Carrier)

effective from 01 December 2021 until ten (10) days after written notice from the insurer or carrier of the intent to terminate coverage is received by the Department of Transportation.

NOTE: Part 205 of the Department's Regulations does not allow for a predetermined termination date, and a certificate showing such a date is unacceptable.

1.

The Insurer (Check One):

- ☐ is licensed to issue aircraft insurance policies in the United States;
☒ is licensed or approved by the government of The United Kingdom to issue aircraft insurance policies; or
☐ is an approved surplus line insurer in the State(s) of _____

2.

The insurer assumes, under the policy or policies listed below, aircraft accident liability insured to minimums at least equal to the following during operation, maintenance, or use of aircraft in "foreign air transportation" as that term is defined in 49 U.S.C. 40102. (Complete applicable section A, B, or C below):

A. CANADIAN CHARTER AIR TAXI OPERATORS WITH PART 294 AUTHORITY ONLY

The aircraft covered by this policy have: (1) 30 or fewer passenger seats and a maximum payload capacity of 7,500 pounds or less; and/or (2) a maximum authorized takeoff weight on wheels of no more than 35,000 pounds. (Complete separate or combined coverage as appropriate):

☐ Separate Coverages:

Policy No.	Type of Liability	Minimum Limit	
		Each person	Each Occurrence
_____	Combined Bodily Injury (Excluding Passengers other than cargo attendants) and Property Damage Liability	\$75,000	\$2,000,000*(See note)
_____	Passenger Bodily Injury	\$75,000	\$75,000 x 75% of total number of passenger seats installed in aircraft


☐ Combined Coverage: This combined coverage is a single limit of liability for each occurrence at least equal to the required minimums stated above for bodily injury (excluding passengers), property damage, and passenger bodily injury.

Policy No. _____ Amount of Coverage _____ U.S. Dollars

☐ This policy covers CARGO operations only and excludes passenger liability insurance.

NOTE: If the aircraft covered by this policy have more than 30 passenger seats or more than a maximum payload capacity of 7,500 pounds, the minimum limit per occurrence shall be \$20,000,000.

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B. FOREIGN AIR CARRIERS OPERATING SMALL AIRCRAFT			
The aircraft covered by this policy are SMALL AIRCRAFT (i.e., with 60 or fewer passenger seats or with a maximum payload capacity of 18,000 pounds or less). (Complete separate or combined coverage as appropriate):			
<input type="checkbox"/> Separate Coverages:			
Policy No.	Type of Liability	Each person	Each Occurrence
	Combined Bodily Injury (Excluding Passengers other than cargo attendants) and Property Damage Liability	\$300,000	\$2,000,000
	Passenger Bodily Injury	\$300,000	\$300,000 x 75% of total number of passenger seats installed in aircraft
<input checked="" type="checkbox"/> Combined Coverage: This combined coverage is a single limit of liability for each occurrence at least equal to the required minimums stated above for bodily injury (excluding passengers), property damaged, and passenger bodily injury.			
Policy No. <u>GE2100315</u>		Amount of Coverage <u>850,000,000</u> U.S. Dollars	
<input type="checkbox"/> This policy covers CARGO operations only and excludes passenger liability insurance.			
C. FOREIGN AIR CARRIERS OPERATING LARGE AIRCRAFT			
The aircraft covered by this policy are LARGE AIRCRAFT (i.e., with more than 60 passenger seats or with a maximum payload capacity of more than 18,000 pounds). (Complete separate or combined coverage as appropriate):			
<input type="checkbox"/> Separate Coverages:			
Policy No.	Type of Liability	Each person	Each Occurrence
	Combined Bodily Injury (Excluding Passengers other than cargo attendants) and Property Damage Liability	\$300,000	\$20,000,000
	Passenger Bodily Injury	\$300,000	\$300,000 x 75% of total number of passenger seats installed in aircraft
<input type="checkbox"/> Combined Coverage: This combined coverage is a single limit of liability for each occurrence at least equal to the required minimums stated above for bodily injury (excluding passengers), property damaged, and passenger bodily injury.			
Policy No. _____		Amount of Coverage _____ U.S. Dollars	
<input type="checkbox"/> This policy covers CARGO operations only and excludes passenger liability insurance.			
3. The policy or policies listed in this certificate insure(s) (Check One):		Make and Model	FAA or Foreign Flag Registration No.
<input checked="" type="checkbox"/> Operations conducted with all aircraft operated by the Insured			
<input type="checkbox"/> Operations conducted with the following types of aircraft:			
<input type="checkbox"/> Operations with the following aircraft: (Use additional page if necessary)			
4. Each policy listed in this certificate meets or exceeds the requirements in 14 CFR Part 205.			
(Name of Insurer)		<u>Nordic Försäkring & Riskhantering AB</u> (Name of Broker, if applicable)	
(Address)		<u>THE WALBROOK BUILDING, 25 WALBROOK</u> (Address)	
(City, State, Zip Code)		<u>LONDON EC4N 8AW, UK</u> (City, State, Zip Code)	
Contact (person who can verify the effectiveness of the coverage)		<u>Jeremy Skinner, AUTHORISED SIGNATORY</u> (Officer or authorized representative)	
(Area Code, Phone Number)	/ (Area Code, Fax Number)	<u>+44(0)7747 763004</u>	/ <u>+44(0)207 450 1444</u> (Area Code, Phone Number) (Area Code, Fax Number)
(Signature, if applicable)		 (Signature)	
		01 June 2022 (Date)	



SCHEDULE OF ADDRESSEES TO CERTIFICATE OF INSURANCE NO. C21/UGJET/G/018

INSURED **UG Jet**
SUBJECT **US Dept of Transport Form 6411**

COMPANY
EMAIL
CONTACT

PLEASE NOTE: NOTICES ARE EFFECTIVE FROM THE TIME OF ISSUANCE BY UNDERWRITERS TO GALLAGHER. **ALL NOTICES WILL BE GIVEN BY E-MAIL ONLY.** IN ORDER TO ENSURE THAT WE ARE ABLE TO PASS NOTICES ON TO THE REQUIRED PARTIES PLEASE ADVISE US PROMPTLY OF ANY CHANGES WHICH NEED TO BE MADE TO THE ABOVE SCHEDULE BY EMAIL TO:
jeremy_skinner@ajgaerospace.com

C21-UGJET-018 OST FORM

EXHIBIT C

OST FORM 4523

WAIVER OF WARSAW CONVENTION LIABILITY LIMITS



Docket OST 95-236

U.S. Department of Transportation

Office of the Secretary of Transportation

AGREEMENT

The undersigned carriers (hereinafter referred to as "the Carriers") hereby agree as follows:

1. Each of the Carriers shall, effective May 16, 1966, include the following in its conditions of carriage, including tariffs embodying conditions of carriage filed by it with any government:

"The Carrier shall avail itself of the limitation of liability provided in the Convention for the Unification of Certain Rules Relating to International Carriage by Air signed at Warsaw October 12th, 1929, or provided in the said Convention as amended by the Protocol signed at The Hague September 28th, 1955. However, in accordance with Article 22(1) of said Convention, or said Convention as amended by said Protocol, the Carrier agrees that, as to all international transportation by the Carrier as defined in the said Convention or said Convention as amended by said Protocol, which, according to the contract of Carriage, includes a point in the United States of America as a point of origin, point of destination, or agreed stopping place

- (1) The limit of liability for each passenger for death, wounding, or other bodily injury shall be the sum of US \$75,000 inclusive of legal fees and costs, except that, in case of a claim brought in a State where provision is made for separate award of legal fees and costs, the limit shall be the sum of US \$58,000 exclusive of legal fees and costs.
- (2) The Carrier shall not, with respect to any claim arising out of the death, wounding, or other bodily injury of a passenger, avail itself of any defense under Article 20(1) of said Convention or said Convention as amended by said Protocol.

Nothing herein shall be deemed to affect the rights and liabilities of the Carrier with regard to any claim brought by, on behalf of, or in respect of any person who has willfully caused damage which resulted in death, wounding, or other bodily injury of a passenger."

2. Each Carrier shall, at the time of delivery of the ticket, furnish to each passenger whose transportation is governed by the Convention, or the Convention as amended by the Hague Protocol, and by the special contract described in paragraph 1, the following notice, which shall be printed in type at least as large as 10 point modern type and in ink contrasting with the stock on (i) each ticket; (ii) a piece of paper either placed in the ticket envelope with the ticket or attached to the ticket; or (iii) on the ticket envelope:

"ADVICE TO INTERNATIONAL PASSENGER ON LIMITATION OF LIABILITY

Passengers on a journey involving an ultimate destination or a stop in a country other than the country of origin are advised that the provisions of a treaty known as the Warsaw Convention may be applicable to the entire journey, including any portion entirely within the country of origin or destination. For such passengers on a journey to, from, or with an agreed stopping place in the United States of America, the Convention and special contracts of carriage embodied in applicable tariffs provide that the liability of

[certain UG JET, S.R.O.]*

[(name of carrier) and certain other] carriers parties to such special contracts for death of or personal injury to passengers is limited in most cases to proven damages not to exceed US \$75,000 per passenger, and that this liability up to such limit shall not depend on negligence on the part of the carrier. For such passengers traveling by a carrier not a party to such special contracts or on a journey not to, from, or having an agreed stopping place in the United States of America, liability of the carrier for death or personal injury to passengers is limited in most cases to approximately US \$10,000 or US \$20,000.

The names of Carriers parties to such special contracts are available at all ticket offices of such carriers and may be examined on request.

Additional protection can usually be obtained by purchasing insurance from a private company. Such insurance is not affected by any limitation of the carrier's liability under the Warsaw Convention or such special contracts of carriage. For further information please consult your airline or insurance company representative."

3. [This Agreement was filed with the Civil Aeronautics Board of the United States. The Board approved it by Order E-23680, adopted May 13, 1966. The Agreement (Agreement 18900) became effective May 16, 1966. On January 1, 1985, this Agreement became the responsibility of the Department of Transportation (DOT) by operation of law.]

4. This Agreement may be signed in any number of counterparts, all of which shall constitute one Agreement. Any Carrier may become a party to this Agreement by signing a counterpart hereof and depositing it with DOT.

5. Any Carrier party hereto may withdraw from this Agreement by giving twelve (12) months' written notice of withdrawal to DOT and the other Carriers parties to the Agreement.

*Either alternative may be used.

(Signature and Date)

26.5.2022

ROMAN VIK, CEO & AM (Printed Name and Title)

UGJET, S.R.O. (Name and Address of Carrier)

KLETISTI 1068/30, PRAHA 6

16008 CZECH REPUBLIC

UG Jet s.r.o.
Václavské nám. 815/53
110 00 Praha 1
DIČ: CZ28878931

OST Form 4523 (Formerly CAB Form 263)

EXHIBIT D
VERIFICATION

Pursuant to Title 18 United States Code Section 1001, I, Roman Vik, in my individual capacity and as the authorized representative of the pleader, have not in any manner knowingly and willfully falsified, concealed or failed to disclose any material fact or made any false, fictitious, or fraudulent statement of knowingly used any documents which contain such statements in connection with the preparation, filing or prosecution of the pleading. I understand that an individual who is found to have violated the provisions of 18 U.S.C. Section 1001 shall be fined or imprisoned not more than five years, or both.

Signed:



Print Name: Roman Vik
Title: Accountable manager
Date: May 26th, 2022